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FISCAL IMPACT REPORT

ORIGINAL DATE 3/2/2007

SPONSOR Pinto LAST UPDATED _____ HB _____

SHORT TITLE Meat Inspection Cultural Considerations SB SJM 28

ANALYST Schuss

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Environment (DOE)

SUMMARY

Synopsis of Bill

Senate Joint Memorial 28 requests that the New Mexico Delegation help retain small businesses in communities throughout the state and preserve traditional practices of Native American and Hispanic communities by urging that cultural and traditional practices be considered by the United States Department of Agriculture in adopting regulations for meat inspection and slaughterhouses.

SIGNIFICANT ISSUES

Senate Joint Memorial 28 states that New Mexico is predominantly a rural state, with many very small communities surrounded by great areas of open vistas and great distances between communities. Due to the rural nature of the state, many people still raise livestock for personal consumption, but due to the changes faced by traditional communities, more and more Native American and Hispanic people rely on commercial ventures to provide them with traditional foods, and at least ten percent of the population of New Mexico is Native American, many of whom remain living in traditional tribal or pueblo communities that were occupied by their ancestors as long ago as one thousand years.

Close to fifty percent of the population of New Mexico is of Spanish ancestry, and many of these people live in the small traditional communities settled by their ancestors over the last five hundred years, this large segment of the population of New Mexico has traditions that must be preserved if the heritage, culture and spiritual practices of the long-term residents of New Mexico are to remain vibrant and meaningful into the future. Food and food preparation are basic to maintaining many belief systems and the traditional practices of both the Hispanic population and the Native American population of New Mexico and include rich and important practices involving the raising, blessing, harvesting and consumption of animals. Slaughtering of animals has for centuries been a community activity that in the last hundred years has become the job of a community member who knows the culturally appropriate way to raise and prepare animals for ceremonial or community use, and the proprietors of these community businesses carry much of the traditional knowledge of the appropriate way and the respectful attitude required to harvest animals for cultural and traditional activities such as feasts, ceremonies, matanzas and other community gatherings.

Practices are viewed many times by regulators as conflicting with health and safety standards for slaughtering of animals, the United States Department of Agriculture has specifically authorized spiritual leaders of religious traditions such as Buddhism, Confucianism, Islam or Judaism in regard to the preparation of kosher products to be present as necessary during the butchering of animals, but spiritual practices of Native Americans and traditional practices of Hispanic communities are not recognized in these religious tradition exemptions, in large part because the need for the services of a slaughterhouse outside of the community or under state or federal regulation is a recent phenomenon. In recent years, the United States Department of Agriculture regulations governing the slaughter of animals have become sophisticated and removed from the traditional values and practices that support the cultures of New Mexico, tending to hold those values and practices in disdain as fewer people creating and enforcing regulations actually have knowledge or understanding of these cultural values and practices.

Small slaughterhouses or community butchers have found it difficult to remain in business due to the lack of understanding expressed and exhibited by regulators and their regulations, and traditional communities are prohibited from obtaining animals in the way the animals are required to be prepared by tradition, due to the regulations. Even more stringent regulations prohibit preparation of slaughtered animals in traditional ways for resale, as in allowing restaurants to serve some traditional foods; however, in some cases, parts of animals unavailable, due to regulation, from local slaughtering businesses are available as imported delicacies. Small butchers and slaughterhouses are disappearing from traditional communities in many cases due to the expense of implementing regulations and the regulators' expectations that to remain in business a butcher will purchase sophisticated equipment and maintain detailed records that require sophisticated information technology. Some of the requirements that exceed a small butcher's or slaughterhouse operator's capacity to implement are targeted at large meatpacking operations that obtain their animals from feedlots.

Representatives of traditional communities are willing to work with the United States Department of agriculture to develop regulations that will allow those communities to continue their traditions, ceremonies and age-old community practices while satisfying those necessary health and safety concerns of the regulators, and allowing small butchering and slaughterhouse businesses to prosper and serve a great need in these traditional communities.

The State of New Mexico requests that the New Mexico Congressional Delegation be urged to take action to help protect small businesses in New Mexico by helping the proprietors of small slaughterhouses and butchering operations that provide meat and slaughtered animals for

consumption for traditional Native American feasts and ceremonies, Hispanic community matanzas and other traditional community gatherings and celebrations to obtain relief from oppressive regulation through negotiation with regulators of the United States Department of Agriculture and implementation of regulations that take into consideration the interests and needs of traditional people and communities. SJM 28 requests that the New Mexico Congressional Delegation consider requiring the United States Department of Agriculture to adopt provisions in regulations that allow Native American spiritual leaders the same liberty as other religious leaders to participate in butchering of animals in specified slaughterhouse operations to ensure that animals for feasts, ceremonies or other community gatherings are prepared as required by tradition.

The United States Department of Agriculture is encouraged to engage in dialogue with the leaders of traditional communities, both Native American and Hispanic, in New Mexico to reach accord on regulatory issues of concern to the traditional and spiritual leaders of those communities and also to aid small community butchering and slaughterhouse operations to remain as viable businesses and provide the needed services that they offer in small traditional communities.

According to DOE, the mission and purpose of USDA and federal, state and local environmental health agencies such as the Food and Drug Administration (FDA), New Mexico Livestock Board (NMLB), New Mexico Environment Department (NMED) and other local environmental health departments is to protect public health by reducing the risk of food borne illness food borne illness. The Centers for Disease Control (CDC) estimates there are 76 million cases of food borne illness each year, 325,000 hospitalizations and 5200 deaths resulting from food borne illness. Many health practitioners believe those estimates are conservative. Protecting the food supply from farms to the table is taken seriously and judiciously by the agencies charged with this task.

The food safety regulations (or food safety standards) established and employed to keep our food supplies safer are based on science. Years of study and evaluation are undertaken in the development of the food safety standards that are represented in federal, state, and local food safety regulations adopted and implemented by these regulatory agencies. Still, with the implementation of these sound food safety standards, food borne illness still occur in alarming numbers. The food safety regulatory agencies must protect the food supply.

BS/nt